

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANKLIN WITTER,

Defendant.

NO. CR05-214Z

ORDER CONTINUING
TRIAL DATE

ORDER

The Court having reviewed the records and files herein and considered the stipulation of the parties, makes the following findings and enters the following order:

1. Additional time is necessary for both the government and defendant to effectively prepare this matter for trial.

2. The ends of justice outweigh the best interest of the public and the defendant in a speedy trial. That failure to grant a continuance based upon the parties need to prepare the matter for trial would result in a miscarriage of justice.

3. The parties have requested and stipulated to a continuance and the defendant shall file a waiver of speedy trial by September 30, 2005.

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1 IT IS HEREBY ORDERED that the trial date is continued from October 17, 2005
2 to January 17, 2006 pursuant to Title 18, United States Code, Section 3161(h), and the
3 period of time from the current trial date to the new trial date is excluded in the
4 computation of time under the Speedy Trial Act. Pursuant to the stipulation of the
5 parties, the defendant shall file a waiver of speedy trial by September 30, 2005.

6 DONE this 26th day of September, 2005.

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8 s/ James L. Robart /for

9 THOMAS S. ZILLY
10 United States District Judge

11 Presented by:

12 /s Lisca Borichewski
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22 /s Lisca Borichewski per telephonic approval
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24 Attorney for FRANKLIN WITTER
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